

**JUDGE RAKOFF**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

v. :

PHIL DE VINCENTIS, :

Defendant. :

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**07-cr-1138**

The above-named defendant, who is accused of violating Title 18, United States Code, Section 371 being advised of the nature of the charge and of his rights, hereby waives, in open Court, prosecution by indictment and consents that the proceeding may be by information instead of by indictment.

  
Defendant

  
Witness

  
Counsel for Defendant

Date: New York, New York  
December 10, 2007

